

October 11, 2004  
Case No.: AUS920010149US1 (9000/27)  
Serial No.: 09/844,395  
Filed: April 27, 2001  
Page 8 of 11

**SPECIFICATION AMENDMENTS:**

Please replace the paragraph beginning on page 26, lines 14 with the following paragraph:

“In one embodiment of the invention, the parameters may be modified so that server checks a “congested” indicator prior to sending its responses. The congested indicator may indicate a state of network congestion. Alternatively, the congestion of the target device may be determined. For example, if the server detects that the target device does not have the reserved boot resources, the target device is flagged as congested. Methods and devices of determining whether a network or target device may be flagged as “congested” are described in co-pending United States patent application ~~AUS920010159US~~ 09/844,339 entitled “METHOD AND SYSTEM FOR ORGANIZED BOOTING OF A TARGET DEVICE IN A NETWORK ENVIRONMENT” herein incorporated by reference in its entirety.”

No new matter has been added with the amendment to the specification.